

Attorney's Docket No. 045600/274147

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Carozzi et al. Confirmation No.: 2147  
Appl. No.: 10/781,979 Group Art Unit: 1645  
Filed: February 19, 2004  
For: AXMI-008, A DELTA ENDOTOXIN GENE AND METHODS FOR ITS USE

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

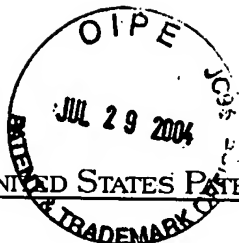
In reviewing the Filing Receipt for the above-referenced application, Applicant notes that errors appear as noted on the enclosed copy of the Filing Receipt. Applicant requests that a corrected Filing Receipt be issued. A Petition to Grant Filing Date and To Refund Petition Fee of \$130, along with appropriate supporting data, is being filed concurrently herewith.

Respectfully submitted,

*Karen M. Morse*

Karen M. Morse  
Registration No. 54,324

<p><b>Customer No. 00826</b> <b>ALSTON &amp; BIRD LLP</b> Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260</p>	<p><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 27, 2004</p> <p><i>Nora C. Martinez</i> Nora C. Martinez</p>
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JUN 7 2004

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/781,979	02/20/2004 2/19/2004	1645	0.00	045600/274147	5	25	4

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ALSTON & BIRD LLP  
 BANK OF AMERICA PLAZA  
 101 SOUTH TRYON STREET, SUITE 4000  
 CHARLOTTE, NC 28280-4000

**COPY**

CONFIRMATION NO. 2147

FILING RECEIPT



\*OC000000012876087\*

Date Mailed: 06/04/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Nadine Carozzi, Raleigh, NC;  
 Tracy Hargiss, Cary, NC;  
 Michael G. Koziel, Raleigh, NC;  
 Nicholas B. Duck, Apex, NC;  
 Brian Carr, Raleigh, NC;

**Assignment For Published Patent Application**

Athenix Corporation, Durham, NC;

**Domestic Priority data as claimed by applicant**

This appln claims benefit of 60/448,797 02/20/2003

**Foreign Applications**

If Required, Foreign Filing License Granted: 04/15/2004

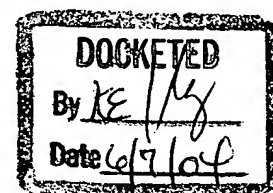
Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

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**\*\* SMALL ENTITY \*\*****Title**

AXMI-008, a delta-endotoxin gene and methods for its use

**COPY****Preliminary Class**

435

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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